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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sean Hu, et al.

Group Art Unit: 3629

Serial No.: 09/684,152

Examiner: Jamisue A. Webb

Filed: October 6, 2000

Title: Apparatus, Systems and
Methods for Printing
Dimensionally Accurate
Symbologies on Laser
Printers Configured with
Remote Client Computer
Devices

Atty Dckt No.: PSTM0034/MRK

**APPLICATION FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
INDICATED IN NOTICE OF ALLOWANCE
37 C.F.R. §1.705(b)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

140 S Lake Ave, Ste 312
Pasadena, CA 91101-4710
November 7, 2006

Commissioner:

This is an Application for Patent Term Adjustment for the above-identified patent application. The Issue Fee for the above-identified patent application is being concurrently filed herewith.

The above-identified patent application was allowed in a Notice of Allowance dated August 10, 2006. The Determination of Patent Term Adjustment Under 35 U.S.C. 154(d) attached to the Notice of Allowance awarded a Patent Term Adjustment for the above-identified application of 787 days. It is respectfully submitted that the correct Patent Term Adjustment through the date of the Notice of Allowance is 758 days.

Pursuant to 37 C.F.R. §1.705(b)(1), A Statement of the Correct Patent Term Adjustment In Support of Application for Reconsideration of Patent Term Adjustment Indicated in Notice of Allowance is respectfully submitted herewith.

This Application for Patent Term Adjustment is directed to reconsideration of the Patent Term Adjustment indicated in the Notice of Allowance; this Application is not directed to events that have occurred, and events that have not yet occurred, after the date of the Notice of Allowance.

APPLICATION FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT
Serial No. 09/684,152

Further Patent Term Adjustment may result due to events that are anticipated to occur (including the anticipated issuance of a patent from the above-identified application). Such further Patent Term Adjustment considerations can only be addressed after the anticipated issuance of a patent from the above-identified application in accordance with 37 C.F.R. §1.705(d) and are therefore not addressed, and are not addressable, herein.

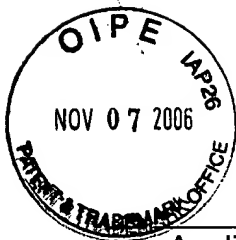
As required by 37 C.F.R. §1.705(b)(1), the fee set forth in 37 C.F.R. §1.18(e) is enclosed herewith. The Commissioner is hereby authorized to charge any underpayment of fees, or credit any overpayment of fees, to Deposit Account No. 501574. Please show our docket number with any charge or credit to our Deposit Account. The issue fee for the above-identified application is filed concurrently herewith.

Respectfully submitted,
KHORSANDI PATENT LAW GROUP,
A LAW CORPORATION

November 7, 2006
Date

By Marilyn R. Khorsandi
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sean Hu, et al.

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Serial No.: 09/684,152

Examiner: Jamisue A. Webb

Filed: October 6, 2000

Title: Apparatus, Systems and
Methods for Printing
Dimensionally Accurate
Symbologies on Laser
Printers Configured with
Remote Client Computer
Devices

Atty Dckt No.: PSTM0034/MRK

**STATEMENT OF THE CORRECT PATENT TERM ADJUSTMENT
IN SUPPORT OF APPLICATION FOR RECONSIDERATION OF PATENT TERM
ADJUSTMENT INDICATED IN NOTICE OF ALLOWANCE
37 C.F.R. §1.705(b)(2)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

140 S Lake Ave, Ste 312
Pasadena, CA 91101-4710
November 7, 2006

Commissioner:

This Statement of the Correct Patent Term Adjustment in Support of Application for Reconsideration of Patent Term Adjustment Indicated in Notice of Allowance is filed concurrently with Application for Reconsideration of Patent Term Adjustment Indicated in Notice of Allowance for the above-identified patent application. The Issue Fee is also being filed concurrently herewith.

The above-identified application was allowed in a Notice of Allowance dated August 10, 2006. The Determination of Patent Term Adjustment Under 35 U.S.C. 154(d) attached to the Notice of Allowance awarded a Patent Term Adjustment for the above-identified application of 787 days. It is respectfully submitted that for the reasons given below, the determination of 787 days is in error, and that the correct Patent Term Adjustment through the date of the Notice of Allowance is 758 days.

It is respectfully submitted that the determination of 787 days is in error, due to a failure in the PAIR system Patent Term Adjustment History to provide the following Patent Term Adjustment events and/or considerations under 37 C.F.R. §1.704, as follows:

Item (1.) A copy of a printout of the PAIR system Patent Term Adjustment History for the Application is attached hereto as Exhibit A. A copy of a printout of the PAIR system Image File Wrapper for the Application is attached hereto as Exhibit B. It is respectfully submitted that the PAIR system failed to associate a Notice of Missing Parts and a corresponding Response to Notice of Missing Parts, and therefore failed to calculate a period of time under 37 C.F.R. §1.704(b), as follows:

a.) the PAIR system did not identify as a Notice of Missing Parts, the PAIR system Patent Term Adjustment History entry dated 01-08-2001, entitled "Notice Mailed--Application Incomplete--Filing Date Assigned" (see Exhibit A hereto; see *also*, Exhibit B hereto – PAIR System Image File Wrapper entry dated 01-08-2001, entitled "Pre-Exam Formalities Notice");

b.) there is no entry in the PAIR system Patent Term Adjustment History (see Exhibit A hereto) of a Response to Notice of Missing Parts, designated in the PAIR System Image File Wrapper (see Exhibit B hereto) for the Application as an entry dated "05-07-2001", entitled "Applicant Response to Pre-Exam Formalities Notice"; and

c.) the PAIR system Patent Term Adjustment History fails to associate the May 7, 2001-dated entry for Applicant's Response to Notice of Missing Parts with the Notice of Missing Parts, dated 01-08-2001.

With respect to **Item (1.)** above regarding the Notice of Missing Parts and the corresponding Response to Notice of Missing Parts, according to 37 C.F.R. §1.704(b), period of adjustment credits shall be reduced for the period of time "in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, . . . beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication . . . and ending on the date the reply is filed." With respect to **Item (1.)** above, it is respectfully submitted that period of adjustment credits should be reduced, according to 37 C.F.R. §1.704(b), by 29 days (wherein the 29 days began on April 9, 2001 (the day after the April 8, 2001 date that is three months after the January 8, 2001 mailing date of the Notice of Missing Parts), and ended on May 7, 2001 (the date noted in the PAIR system as the receipt date of the Response to the Notice of Missing Parts)).

According to 37 C.F.R. §1.704(b), 37 C.F.R. §1.704(c) and 37 C.F.R. §1.704(c)(8), it is respectfully submitted that period of adjustment credits should be further reduced by a total of 29 non-overlapping days. Accordingly, it is respectfully submitted that the determination of 787 days is in error, and that the correct Patent

STATEMENT OF THE CORRECT PATENT TERM ADJUSTMENT
Serial No. 09/684,152

Term Adjustment through the date of the Notice of Allowance is 758 days (which is calculated by subtracting the 29 non-overlapping days from the original determination of 787 days).

With respect to 37 C.F.R. §1.705(b)(2)(iii), the patent granted on this application is not subject to a terminal disclaimer in that no terminal disclaimer was filed in the above-identified patent application (Serial No. 09/684,865). However, a TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER PENDING SECOND APPLICATIONS has been filed in the case of certain other co-pending patent applications, namely in the cases of Application Serial Nos. 09/684,869, 09/684,866, and 09/684,010, with respect to, among others, the above-identified patent application (Serial No. 09/684,152).

Respectfully submitted,
KHORSANDI PATENT LAW GROUP,
A LAW CORPORATION

Nov. 7, 2006
Date

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Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 09/684,152

Filing or 371(c) Date:	10-06-2000	USPTO Delay (PTO) Delay (days):	943
Issue Date of Patent:	null	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	156
Post-Issue Petitions (days):	+0	Total PTA (days):	787
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
08-10-2006	Mail Notice of Allowance		
08-10-2006	Mail Examiner's Amendment		
08-08-2006	Notice of Allowance Data Verification Completed		
08-08-2006	Examiner's Amendment Communication		
02-16-2006	Information Disclosure Statement considered		
01-09-2006	Information Disclosure Statement considered		
05-11-2006	Date Forwarded to Examiner		
05-05-2006	Response to Election / Restriction Filed		
04-13-2006	Correspondence Address Change		
04-05-2006	Mail Restriction Requirement		
04-03-2006	Requirement for Restriction / Election		
02-16-2006	Information Disclosure Statement (IDS) Filed		38
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-21-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
08-22-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
01-09-2006	Reference capture on IDS		↑
01-09-2006	Information Disclosure Statement (IDS) Filed		↑
01-09-2006	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received		↑
01-23-2006	Date Forwarded to Examiner		↑
01-09-2006	Response after Non-Final Action		69
01-09-2006	Request for Extension of Time - Granted		↑

07-27-2005	Request for Refund	⬆	
08-01-2005	Mail Non-Final Rejection	⬆	
07-25-2005	Non-Final Rejection		
05-20-2005	Date Forwarded to Examiner		
05-12-2005	Reference capture on IDS		
05-12-2005	Information Disclosure Statement (IDS) Filed		
05-20-2005	Date Forwarded to Examiner		
05-12-2005	Request for Continued Examination (RCE)		2
05-20-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	⬆	
05-12-2005	Workflow - Request for RCE - Begin	⬆	
02-10-2005	Mail Final Rejection (PTOL - 326)	⬆	
02-07-2005	Final Rejection		
11-19-2004	Electronic Information Disclosure Statement		
11-22-2004	Reference capture on IDS		
11-22-2004	Information Disclosure Statement (IDS) Filed		13
08-09-2001	Reference capture on IDS	⬆	
12-03-2004	IFW TSS Processing by Tech Center Complete	⬆	
12-03-2004	Date Forwarded to Examiner	⬆	
11-09-2004	Response after Non-Final Action		34
11-09-2004	Request for Extension of Time - Granted	⬆	
11-09-2004	Workflow incoming amendment IFW	⬆	
07-06-2004	Mail Non-Final Rejection	943	
06-28-2004	Non-Final Rejection	⬆	
06-15-2004	Case Docketed to Examiner in GAU	⬆	
05-26-2004	Case Docketed to Examiner in GAU	⬆	
12-18-2001	Information Disclosure Statement (IDS) Filed	⬆	
12-10-2001	Information Disclosure Statement (IDS) Filed	⬆	
08-22-2001	Information Disclosure Statement (IDS) Filed	⬆	
08-09-2001	Information Disclosure Statement (IDS) Filed	⬆	
08-16-2001	Case Docketed to Examiner in GAU	⬆	
05-25-2001	Application Dispatched from OIPE	⬆	
05-19-2001	Correspondence Address Change	⬆	
05-19-2001	Application Is Now Complete	⬆	
05-18-2001	Correspondence Address Change	⬆	
01-08-2001	Notice Mailed--Application Incomplete--Filing Date Assigned	⬆	
01-06-2001	Correspondence Address Change	⬆	
11-21-2000	IFW Scan & PACR Auto Security Review	⬆	
10-06-2000	Initial Exam Team nn	⬆	

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Available Documents

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08-10-2006	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
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08-10-2006	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
08-10-2006	Index of Claims	PROSECUTION	1
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05-05-2006	Claims	PROSECUTION	21
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02-16-2006	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
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02-16-2006	NPL Documents	PRIOR ART	12
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01-09-2006	Rule 130, 131 or 132 Affidavits	PROSECUTION	11
01-09-2006	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
01-09-2006	NPL Documents	PRIOR ART	15
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01-09-2006	NPL Documents	PRIOR ART	13
01-09-2006	NPL Documents	PRIOR ART	13
01-09-2006	NPL Documents	PRIOR ART	13
01-09-2006	NPL Documents	PRIOR ART	11
01-09-2006	NPL Documents	PRIOR ART	9
01-09-2006	NPL Documents	PRIOR ART	5
01-09-2006	NPL Documents	PRIOR ART	15
01-09-2006	NPL Documents	PRIOR ART	16
01-09-2006	NPL Documents	PRIOR ART	2
01-09-2006	NPL Documents	PRIOR ART	21
01-09-2006	NPL Documents	PRIOR ART	2
01-09-2006	NPL Documents	PRIOR ART	2
01-09-2006	NPL Documents	PRIOR ART	4

01-09-2006	NPL Documents	PRIOR ART	4
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08-01-2005	List of References cited by applicant and considered by examiner	PRIOR ART	3
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08-01-2005	Search information including classification, databases and other search related notes	PROSECUTION	1
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05-12-2005	Specification	PROSECUTION	4
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05-12-2005	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	8
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05-12-2005	Information Disclosure Statement (IDS) Filed	PROSECUTION	6
05-12-2005	Foreign Reference	PRIOR ART	27
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05-12-2005	NPL Documents	PRIOR ART	9
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05-12-2005	NPL Documents	PRIOR ART	14
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05-12-2005	NPL Documents	PRIOR ART	9
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11-22-2004	Foreign Reference	PRIOR ART	18
11-22-2004	Foreign Reference	PRIOR ART	82
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11-22-2004	NPL Documents	PRIOR ART	2
11-22-2004	NPL Documents	PRIOR ART	2
11-22-2004	NPL Documents	PRIOR ART	3

11-22-2004	NPL Documents	PRIOR ART	3
11-22-2004	NPL Documents	PRIOR ART	2
11-22-2004	NPL Documents	PRIOR ART	2
11-22-2004	NPL Documents	PRIOR ART	14
11-22-2004	NPL Documents	PRIOR ART	29
11-22-2004	NPL Documents	PRIOR ART	14
11-22-2004	NPL Documents	PRIOR ART	14
11-22-2004	NPL Documents	PRIOR ART	18
11-22-2004	NPL Documents	PRIOR ART	31
11-22-2004	NPL Documents	PRIOR ART	22
11-22-2004	NPL Documents	PRIOR ART	27
11-22-2004	NPL Documents	PRIOR ART	53
11-22-2004	NPL Documents	PRIOR ART	23
11-22-2004	NPL Documents	PRIOR ART	14
11-22-2004	NPL Documents	PRIOR ART	19
11-22-2004	NPL Documents	PRIOR ART	14
11-22-2004	NPL Documents	PRIOR ART	16
11-22-2004	NPL Documents	PRIOR ART	16
11-22-2004	NPL Documents	PRIOR ART	31
11-22-2004	NPL Documents	PRIOR ART	10
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10-06-2000	Fee Worksheet (PTO-875)	PROSECUTION	1
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